



South Carolina House of Representatives

Legislative Update

David H. Wilkins, Speaker of the House

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STATE DOCUMENTS

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NOTE: Bill summaries included in this document are prepared by the staff of the South Carolina House of Representatives and are not the expression of the legislation's sponsor(s) or the House of Representatives. The summaries are strictly for the internal use and benefit of members of the House of Representatives and are not to be construed by a court of law as an expression of legislative intent.

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HOUSE WEEK IN REVIEW

The House of Representatives gave *second reading approval* to **H.4925**, the **2004-2005 GENERAL APPROPRIATIONS BILL**. The following are highlights of the bill as approved on second reading. The Ways and Means Committee intends to distribute a more detailed and comprehensive final summary of the House bill this week.

- Base Student Cost appropriation is \$1827;
- Teacher salaries are funded at the projected Southeast Average of \$41,391;
- National Board Certification program for teachers is continued and \$2.4 million is provided for the projected increase in teachers in the program; state supplement is \$7500 per year for ten years;
- Lottery funding for K-5 Reading, Math, Science and Social Studies programs is increased by \$10 million for total of \$50 million in the lottery;
- LIFE, HOPE, and Palmetto Fellows Scholarships are fully funded;
- Needs Based Grants received an additional \$10 million; tuition grants received an additional \$1 million;
- A 2% base pay increase was approved for State employees;
- Specified State law enforcement personnel receive up to a 7.5% pay increase from funds derived from authorization to take an additional 100,000 cubic feet of low-level nuclear waste at the Barnwell site;
- Agencies' funds for travel, meals, fees, and phone expenses are reduced 15%;
- For Fiscal Year 2004-2005, all requests for job development credits against quarterly withholding returns are limited to 62.5% of the amount otherwise allowed, not to exceed \$50 million. This is estimated to bring in \$30 million, which is directed to various programs, including but not limited to (in rounded figures): \$10.8 million for Medicaid; \$2.9 million to DHEC; \$3.8 million to the Department of Disabilities and Special Needs; \$886,000 to PRT; \$7.1 million to the Department of Corrections; and \$1.8 million to the Department of Juvenile Justice.
- \$5 million dollars from the Barnwell nuclear waste fund repayment is directed to Medicaid;
- \$5 million of South Carolina Conservation Land Bank Trust Fund revenue is earmarked for beach renourishment projects, and \$2.5 million of Bank revenue is transferred to Medicaid.

The House received notification that the Senate adopted the free conference committee reports on **S.560**, legislation pertaining to **ECONOMIC DEVELOPMENT, HIGHER EDUCATION, AND BONDS**, and **H.3900**, legislation providing for the appropriation of proceeds from the bonds authorized in S.560. Having passed both houses of the General Assembly, these bills were ratified.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H.4911 *GEOLOGISTS* Rep. Kirsh

This bill repeals that chapter of law dealing with geologists and regulation of the practice of geology.

H.4934 *"SOUTH CAROLINA ISOLATED WETLANDS ACT OF 2004"* Rep. Witherspoon

This bill enacts the "South Carolina Isolated Wetlands Act of 2004," establishing a program to regulate isolated wetlands, and activities in and around isolated wetlands. For purposes of the bill, "isolated wetlands" is defined as those areas that are inundated or saturated by water at a frequency or duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions and that are not regulated under the federal Clean Water Act. The program established in the bill includes but is not limited to provisions which: conserve and enhance environmentally significant wetlands functions; require mitigation to compensate for isolated wetland disturbances; recognize the need for essential public infrastructure, and the need to preserve strong local tax bases and; provide for sustained economic growth.

EDUCATION AND PUBLIC WORKS

S.799 *NAMING OF GREENVILLE HIGHWAY* Sen. Thomas

This joint resolution provides that a specified conjunction of Fork Shoals Road in Greenville is named the "James R. and Aida Hatley Memorial Highway," and requires the Department of Transportation to place appropriate signage indicating this naming.

H.4921 *ALL-TERRAIN VEHICLE SAFETY ACT* Rep. Ott

This bill enacts the "All Terrain Vehicle Safety Act." An "all-terrain vehicle" is defined in the bill as a motorized off-highway vehicle of a width and weight specified in the bill, travelling on three or more low-pressure tires, having a seat or saddle designed to be straddled by the operator and handlebars for steering control, and other off-highway vehicles as may be designated by the Department of Natural Resources. Regarding these vehicles, the bill provides for regulation of operation and safety equipment; registration and licensing; operator and owner liability; and criminal and civil penalties for violations of the bill's provisions.

H.4935 *DUCKS UNLIMITED SPECIAL LICENSE PLATES* Rep. Richardson

This bill provides that the special Ducks Unlimited license plates may be issued to any owner of certain private passenger-carrying motor vehicles, not just to members of Ducks Unlimited. The bill also adds an additional \$40 fee for the plate and requires that this fee be deposited into an account designated by the Committee of the South Carolina Ducks Unlimited.

JUDICIARY

H.4920 RESTRICTIONS ON FOSTER CARE AND ADOPTIVE PLACEMENTS

Rep. Loftis

This bill revises provisions relating to persons with whom children may not be placed for foster care, so as to provide that these restrictions also apply to adoptive placements. The bill also adds to the list of restrictions, a person who is in a sexual relationship with a person in his or her home other than the person's lawful spouse.

LABOR, COMMERCE AND INDUSTRY

H.4918 FEES FOR SAFETY CODE ENFORCEMENT Rep. Kirsh

This bill revises provisions relating to the establishment of fees by the South Carolina Building Codes Council for the enforcement of the South Carolina Modular Buildings Construction Act, so as to provide that the council shall establish fees based upon the costs of administering the act. The bill eliminates the requirement that these fees be deposited in the State General Fund. The bill revises provisions relating to the promulgation of regulations to establish fees for the inspection and permitting of elevators and of amusement rides, so as to provide that these fees must be based upon the costs of administering the code provisions. The bill prohibits the issuance of licenses or permits if a person has failed to pay the applicable fees. The legislation provides that the Set-Off Debt Collection Act must be used for the collection of unpaid fees.

WAYS AND MEANS

S.638 FUNDING FOR COUNTY VETERANS AFFAIRS OFFICES Sen. Moore

This bill requires that County Veterans Affairs Offices must be funded with monies appropriated by the General Assembly and payable directly to the County Treasurer's Office by the State Treasurer.

H.4910 LOCAL OPTION SALES TAX Rep. Altman

For purposes of the local option sales tax, this repeals the provision requiring certain counties to withhold a percentage of sales and use tax collections for distribution to other counties so as to assure that each county area receives a minimum distribution.

H.4916 ONLINE PURCHASE OF LOTTERY TICKETS Rep. Snow

This bill authorizes and directs the South Carolina Lottery Commission to provide by July 1, 2005, on-line access to persons eligible to play the South Carolina Education Lottery. Such access would be for the purposes of establishing individual on-line accounts; making deposits into these accounts; monitoring the accounts; and debiting the account for on-line purchase of lottery tickets.

H.4924 TOBACCO ESCROW FUND ACT Rep. Witherspoon

This bill provides requirements, procedures, and civil and criminal penalties intended to enhance enforcement of provisions of the Tobacco Escrow Fund Act and to safeguard the Master Settlement Agreement. The bill also provides that escrow payments required of a nonparticipating tobacco products manufacturer and any refund of an escrow overpayment by such a manufacturer are based on units sold in South Carolina, compared with Master Settlement Agreement payments rather than an allocable share.

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